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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,724	07/15/2003	Paul E. Bender	990456B1	9059
23696 7590 02/27/2007 QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			EXAMINER DAILEY, THOMAS J	
			ART UNIT 2152	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS			NOTIFICATION DATE 02/27/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 10/620,724	Applicant(s) BENDER ET AL.	
	Examiner Thomas J. Dailey	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>22 April 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are pending in this application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-11, 17, and 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 1 recites, "the mobile station" on line 5. There is insufficient antecedent basis for this limitation in the claim. The claim is indefinite due to the fact that it is unclear what "the mobile station" is in reference to; it could be a new device and should be recited as "a mobile station," or it could be referencing the access terminal and should recite, "said access terminal."
5. Claim 1 recites, "the location information" on lines 4-5. There is insufficient antecedent basis for this limitation in the claim. It is assumed to be referencing "the location of session information," and should be made clearer by reciting it as such and will be interpreted that way for the remainder of this office action.

6. Claim 4 recites, "mobile station identifier generator...uses the location of session information as a mobile station identifier," on lines 5-7. The claim is unclear due to the fact "mobile station" was not clearly defined in claim 1. Therefore, it can only be interpreted as generating any identifier based upon the location of session information.
7. Claim 17 and 19 recite, "the session information IP address is a compressed value," on lines 1-2. This renders the claims indefinite, as "the session information IP address" is now not clearly defined. If it is an IP address, how can it be a compressed value, and if it is a compressed value, how can it then still be an IP address.
8. Claim 21 recites, "the element" on line 5. There is insufficient antecedent basis for this limitation in the claim. It is assumed to be referencing "the session holder," and will be interpreted as such for the remainder of this office action.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
10. Claims 1-3 are rejected under 35 U.S.C. 102(a) as being anticipated by Gwon et al (US Pub. 2003/0104814 A1), hereafter "Gwon."

11. As to claim 1, Gwon discloses an access terminal (Fig. 4a, 401, a mobile node), comprising:

transceiver means adapted for high rate packet data communications
(inherent in [0039], lines 7-11) ;

session information identification means for providing a location of session information for a current data communication session, wherein the location information identifies a storage location external to the mobile station ([0064], lines 1-11, during Post-MIT operation, when the mobile node (access terminal) moves from oFA [old Foreign Agent] to nFA [new Foreign agent], the node sends a Hreg(m) to the nFA that contains the IP address of the oFA (location of session information), from which the nFA retrieves information to form the tunnel).

12. As to claim 2, Gwon discloses the location of the session information is identified by a first Internet Protocol (IP) address ([0064], lines 2-7).

13. As to claim 3, Gwon discloses the transceiver means is further adapted to receive the location of session information and provide the location of the session information to the session information identification means (inherent in [0064], lines 1-11, as the mobile node is communicating with the nFA with the wireless IP network).

14. Claims 12, 15, 16, 18, and 21-22 are rejected under 35 U.S.C. 102(a) as being anticipated by Eyuboglu et al (US Pub. 2002/0196749 A1), hereafter "Eyuboglu."

15. As to claim 12, Eyuboglu discloses a method for a communication session in a wireless communication system supporting Internet Protocol (IP) communications (Abstract), the method comprising:

receiving a request for a first communication session([0033], when the access terminal sends a RATI it acts as a request for a UATI);

establishing the first communication session ([0034], lines 1-7);

storing session information for the first communication session in a first location ([0036], lines 1-4);

determining a session information IP address to the first location ([0051], lines 1-10, by utilizing the UATI extracted from the AT's packet, the serving RNC is identified (which stores mobility information (session information) as disclosed in [0036], lines 1-4); and

assigning the session information IP address to a mobile station identifier for an access terminal participant to the first communication session ([0051], lines 1-10).

16. As to claim 15, it is rejected by the same rationale set forth in claim 12's rejection.

17. As to claim 16, Eyuboglu discloses a method for a communication session in a wireless communication system supporting Internet Protocol (IP) communications, the method comprising:

receiving a message from an access terminal, the message including a mobile station identifier ([0033], lines 1-2);

extracting a session information IP address from the mobile station identifier ([0051], lines 1-10, by utilizing the UATI extracted from the AT's packet, the serving RNC is identified (which stores mobility information (session information) as disclosed in [0036], lines 1-4));

requesting session information using the session information IP address ([0074], a session transfer occurs and inherently will include the IP address of the previous serving RNC since communication is occurring in an IP network);

receiving the session information ([0074], lines 8-10); and

processing the communication session with the access terminal([0074]).

18. As to claim 18, it is rejected by the same rationale set forth in claim 16's rejection.

19. As to claim 21, Eyuboglu discloses a session holder in a wireless communication system supporting Internet Protocol (IP) communications, the session holder

being assigned an IP address ([0036], lines 1-4, the serving RNC reads on "a session holder"), the session holder comprising:

receiver for receiving a request message, the request message having a destination portion identifying the element ([0074], lines 3-10, the serving RNC receives request for "a session transfer" and responds);

memory storage unit for storing session information for a first session (inherent in [0036], lines 1-4);

transmitter for sending a response to the request message, the response including at least a portion of the session information for the first session ([0074], lines 3-10).

20. As to claim 22, Eyuboglu discloses an infrastructure element in a wireless communication system supporting Internet Protocol (IP) communications, the element having an IP address ([0030], an RN (radio node) reads on "the element"), the element comprising:

receiver for receiving a communication from an access terminal ([0030]), the communication including a mobile station identifier ([0033]);

processor coupled to the receiver, the processor determining a session holder IP address from the mobile station identifier ([0051], lines 1-10, the serving RNC reads on "a session holder"); and

means for sending an IP request for session information of the communication with the access terminal, wherein the IP request uses the session holder IP address as a destination address ([0051], lines 4-12).

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gwon as applied to claim 1, in view of Purnadi et al (US Pat. 6,708,031 B2), hereafter "Purnadi."

23. As to claim 4, Gwon discloses the session information identification means comprises:

session information determination means adapted to receive the location of the session information (inherent in [0064], lines 1-11, as the mobile node is communicating with the nFA with the wireless IP network and therefore is constantly receiving the location of the node's session information).

Gwon does not disclose using the location of session information as a mobile station identifier. Rather, the location of session information is the serving foreign agent and the mobile identifier is not explicitly defined.

However, Purnadi discloses where the location of a serving agent, acts as a mobile identifier (column 5, lines 29-34, the Network Access Identifier (identifies the serving agent) is mapped along with the mobile IP address to the Mobile Identifier).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Gwon and Purnadi in order to decrease the processing necessary to determine a mobile device's serving agent by including it with the identifier of the device.

24. As to claim 5, Purnadi discloses providing a pointer to the location of session information (column 5, lines 29-34, the Network Access Identifier (acts as a pointer)).

25. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eyuboglu, as applied to claim 12, in view of Ray et al (US Pub. No. 2003/0135626), hereafter "Ray."

26. As to claim 13, Eyuboglu does not disclose that the mobile station identifier includes a color code corresponding to a portion of the wireless communication system.

However, Ray discloses that a mobile station identifier includes a color code corresponding to a portion of the wireless communication system ([0029], lines 1-6).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings Eyuboglu and Ray in order to allow Eyuboglu's system to work with common wireless communication systems, which include color codes.

27. As to claim 14, Ray discloses the color code is a compressed version of a sector identification value ([0029], lines 1-6).

28. Claims 17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gwon, as applied to claims 16 and 18, in view of Kato et al (US Pub. No. 2002/0078226 A1), hereafter "Kato."

29. As to claim 17 and 19, Eyuboglu does not disclose mapping the session information IP address to a full IP address and generating an IP packet using the full IP address.

However, Kato discloses mapping an IP address ([0067], lines 1-4, IP address is added to the datagram and then IP address is compressed) and generating an IP packet using the full IP address ([0067], lines 1-4, the datagram is an IP packet and compression was done after the IP address was inserted into the datagram).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Eyuboglu and Kato in order to save bandwidth by compressing the IP address before transmission.

30. As to claim 20, Kato discloses the compressed value is locally unique within a portion of the wireless communication system ([0045]).

31. Claims 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gwon in view of Purnadi, as applied to claim 4, in further view of Eyuboglu.

32. As to claim 6, Gwon and Purnadi do not specifically disclose providing an initial random identifier prior to receiving the location of the session information. Rather, in both teachings, they are silent with regards to the initial identification procedure.

However, Eyuboglu discloses providing an initial random identifier prior to receiving the location of the session information ([0033], lines 4-8).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Gwon and Purnadi with the teaching of Eyuboglu in order to allow initial communication from networked nodes that have no assigned identification.

33. As to claim 7, Gwon discloses a processor adapted to initiate an access request, wherein the access request initiates a session ([0045], lines 9-12).

34. As to claim 8, Gwon discloses providing a compressed version of the location of session information ([0064], lines 3-7).

35. As to claim 9, Gwon discloses the location of session information is identified by an Internet Protocol (IP) address wherein the IP address is constructed using the compressed version of the location.

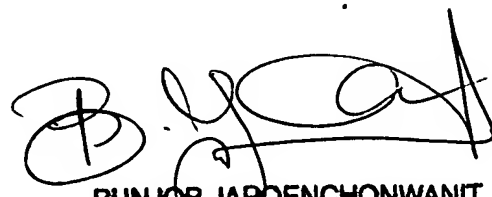
36. As to claim 10, Purnadi discloses the mobile station identifier generator provides a portion of the IP address as a mobile station identifier (column 5, lines 29-34).

37. As to claim 11, Purnadi discloses the portion of the IP address is locally unique within a current portion of a communication system (column 5, lines 29-34).

Conclusion

38. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 9:00am - 5:00pm.
39. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
40. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


TJD
2/20/2007


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